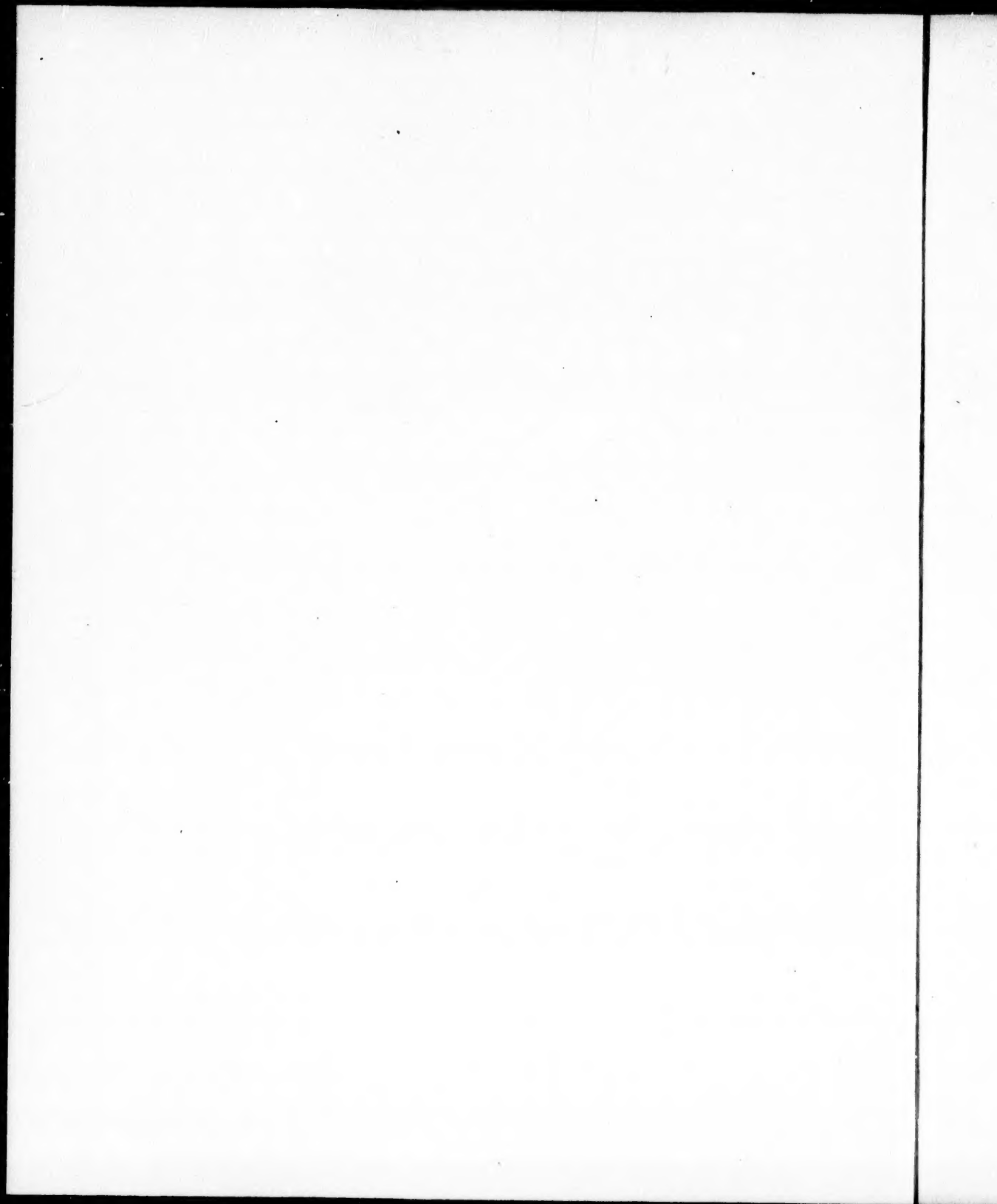




CAPE BRETON.

At a Public Meeting, held agreeably to Public Notice previously given, at the Court House in Sydney, in the Island of Cape Breton, on the 19th day of January 1837, to consider the measures necessary to be adopted to forward the claims of this Island to the Legislature granted to said Island by his Majesty King George the Third; CHARLES R. WARD, Esquire was called to the Chair; when the object of the Meeting having been stated by the Chairman, and the subject discussed by the said Meeting, the following Resolutions were thereupon proposed, and after due deliberation unanimously agreed to:—

1. *Resolved*, That the Islands of St. John, (now Prince Edward Island), and Cape Breton, with the lesser Islands adjacent thereto, were conquered Islands, and were surrendered to His Majesty by capitulation entered into on the 26th day of July 1759; that the said Islands were ceded to Great Britain by the Definitive Treaty of Peace, concluded at Paris on the 10th day of February 1763—and were annexed to the Government of the *Captain General and Governor in Chief of Nova Scotia*, by His Majesty's Proclamation of 7th October 1763, in the following words, *viz*:—

"We have also with the advice of our Privy Council thought fit to annex the Islands of St. John and Cape Breton, or Isle Royale, with the lesser Islands adjacent thereto, to our Government of Nova Scotia."

The same Proclamation also adds:—

"We have also with the advice of our Privy Council aforesaid annexed to our Province of Georgia, all the lands lying between the Rivers of Altamaha and St. Mary's."

That it therefore, and for other reasons appears to this Meeting, that the said Proclamation never contemplated the annexing either the Island of St. John or Cape Breton, to the Province of Nova Scotia, as integral parts or Counties of said Province, in the manner the lands lying between the Rivers Altamaha and St. Mary's may possibly have been annexed to the Province of Georgia; but merely to the Government of the *Captain General* of Nova Scotia;—otherwise it is difficult to understand why the term "*Province*" should have been used in the one case, and that of "*Government*" in the other; and more especially as the Constitutions afterwards respectively granted to the Islands of St. John, and Cape Breton, confirm the view this Meeting takes of the Proclamation alluded to, and contradict the construction given to the said Proclamation by the Legislature of Nova Scotia in 1766.

2. *Resolved*, That His Excellency Montague Wilmot, Esq. *Captain General and Governor in Chief of Nova Scotia*, having sent a Message to the Council and Assembly of that Province, on the 24th of March 1764, stating that "the Islands of Cape Breton and St. John having been united to that Government by the Royal Proclamation, he should consider what profits and advantages might be derived to the Province in general as soon as he should receive His Majesty's Instructions and know his further pleasure relating to that acquisition";—it is evident that, at that date, no Commission or Instructions had been received by his Excellency, authorising the Legislature of that Province to consider either the Island of St. John or Cape Breton, as integral parts or Counties of said Province.

3. *Resolved*, That as the Act of the said Legislature of the Province of Nova Scotia, passed in the year 1766, intitled "*An Act for the more effectual recovery of his Majesty's dues in the Islands of Cape Breton St. John's and Islands adjacent*," does not allude to any Instructions or Commission from His Majesty (which Governor Wilmot in his Message of 24th March 1764 stated in substance he waited for;) but merely refers to the Proclamation of 7th of October 1763, as authorising the Legislature to pass the said Act, the title of which is above given; this Meeting feels warranted in assuming that no such instructions or Commission had been received up to that date, and therefore that the construction given by Nova Scotia to said Proclamation, was without authority from His Majesty, but on the contrary was a gratuitous, assumed, and erroneous construction, on the part of the Legislature of Nova Scotia alone, and in direct opposition to the letter and spirit of the King's Proclamation;—and if so, such Act could not bind either St. John's Island or Cape Breton.

4. *Resolved*, That it appears to this Meeting, that though the Islands of St. John and Cape Breton, were, as above, annexed to the Government of the *Captain General* of Nova Scotia; yet they being conquered Islands, the King had constitutionally the right to place them under any one of his Representatives, and therefore as well under the *Captain General* of Nova Scotia, as any other *Captain General*, to be governed in such manner as His Majesty should deem fit; without its necessarily following that those Islands thereby became integral parts or Counties of the Province of Nova Scotia, which last named Province was only a part of his Excellency's general government; nor can this Meeting conceive that those Islands would in such case have been placed in any very novel situation; far as late as the 4th of August 1835, it may be gathered

in a Speech delivered by the Governor of Jamaica to the Assembly of that Island, that the Caymans then stood in a somewhat similar relation to Jamaica, to that in which St. John and Cape Breton were by the Proclamation of 1768 intended to be placed to Nova Scotia; as his Excellency the Governor of Jamaica there says: "The only new measures I would at present propose to you are an Act for the Legislative union of the Caymans with Jamaica, and an Act for the encouragement of Immigration. The absence of any legally constituted Government, renders it expedient that these Islands, hitherto considered as dependencies of this Colony, should be admitted to a share in its representative privileges and be governed by its laws;" but to which the House replied, that "having always protested against external interference with their own legislation, they were not disposed to interfere with that of others."

5. *Resolved*, That that this Meeting conceives that it is fully borne out in its construction of the Royal Proclamation of 7th of October 1763, when it finds that the Island of St. John, (now Prince Edward Island) was, in the 9th year of the reign of his Majesty King George the Third, not erected into a Government similar to that under which Cape Breton actually and confessedly remained from the year 1784, to the year 1820; but into a separate Government from that of Nova Scotia, and under a *Captain General and Governor in Chief*; and over the said Island, distinct from the Governor in Chief of Nova Scotia, as well as totally independent of him, ~~except when the latter should be actually resident in said Island~~;—and that in the commission to Governor Parr as *Captain General* of Nova Scotia, dated 11th September 1784, it is there stated, that his Majesty had revoked his Commission to Walter Patterson Esq. of 14th July 1769, as *Governor in Chief* of St. John's Island, and had thought fit, to quote the words of Governor Parr's Commission above referred to) "TO RE-ANNEX the Island of St. John and its dependencies to our GOVERNMENT of Nova Scotia;" under both which *separation* and *re-annexation* St. John's Island enjoyed, as is it still enjoys, a Legislature distinct from that of Nova Scotia: it being a fact, that though St. John's Island continues to this day "*re-annexed* to the Government of Nova Scotia," it possesses a Legislature of its own, distinct from that of Nova Scotia, consisting of a Lieutenant Governor or Council and Assembly; and that the Lieutenant Governor of Nova Scotia has no authority there, except when on the spot in said Island, in the same manner that he had in Cape Breton, from the year 1784 to 1820,—during all which period the Governor in Chief of Nova Scotia acted under the following order from his Majesty

—namely, that until Cape Breton should be in a fit state to have its Assembly convened, the Governor and Council of said Island should make certain Ordinances for the welfare thereof; but that (to quote the words of the King's Commission) "it is nevertheless our will and pleasure that due care be taken in all Laws &c. passed in our Province of Nova Scotia, that the same do not extend to our Islands of Prince Edward and Cape Breton under color or pretence that our said Islands are included in this our Commission to you and are parts of our GOVERNMENT of Nova Scotia."

6. *Resolved*, That when his Majesty, by his Commission and Instructions to Governor Parr of 11th September 1784 directed to him as *Captain General and Governor in Chief of Nova Scotia*; and to Joseph Frederick Wallis Desbarres Esq. dated 31 September 1784, and addressed to him as *Lieutenant Governor of the Island of Cape Breton and its Dependencies*; formally and solely granted a Legislature to the said Island, consisting of a Lieutenant Governor, Council and Assembly, independent of, and distinct from the Legislature of Nova Scotia, his Majesty thereby *immediately and irrevocably* parted with the power of ever afterwards depriving the said Island of such Legislature, unless by an Act of the Imperial Parliament; which illustrious body, this Meeting is convinced, would never deprive this Island of such Constitution, unless in compliance with the general prayer of its inhabitants, or when the safety or pressing necessities of the Empire required it: and that the King did thus part with his power to revoke the Legislature granted to this Island, this meeting is fully borne out in asserting, from former precedents, and especially by the Grenada case, as decided by Lord Mansfield.

7 *Resolved*, That this Meeting considers the doctrine understood to have been advanced in Nova Scotia, that the Legislature contended for, though granted to this Island, yet never having been actually convened, might therefore be revoked by his Majesty, to be unsound and untenable, and positively contradicted by the decision of Lord Mansfield, in the case of *Campbell vs. Hall*, as reported in Cowper page 204. commonly known as the Grenada case; on which trial it was clearly and expressly decided, that the King was bound from the date of his commission to call an Assembly; and that though not convened, yet that his Majesty could not, after the date of the Grant or Commission to call an Assembly, by his sole Act annul the same.

The case in question was an action brought to recover back a sum of money which was paid to the defendant as Collector of the 4½ per cent duty on Sugar, exported from the Island of

Grenada, upon the ground that the money was paid to the defendant without consideration, the duty collected not having been imposed by lawful or sufficient authority to warrant the same. A special verdict was found, which stated that Grenada was conquered and surrendered by capitulation; by the 5th article of which it is stated, that Grenada shall continue to be governed by its present laws until his Majesty's will and pleasure shall be known: that by the Treaty of Peace of 10th of February 1763, Grenada was ceded to Great Britain: that on the 9th of April 1764, (3 months before July,) a Commission was made out appointing Governor Melville, with power to summon an Assembly *when the circumstances of the Island should admit*: that the Governor arrived in Grenada on the 14th of December 1764, and that it was not until some time during the year 1765, that an Assembly actually met in that Island; but that before the Governor arrived in Grenada, (and three months after the date of his Commission) namely on the 20th of July 1764, Letters Patent under the Great Seal issued, wherein it was recited, that from and after the 29th of September next, a "duty or impost of 4½ per cent upon all deal commodities the produce of the Island of Grenada shall be raised and paid to us in lieu of all Customs." Yet here, though the Assembly did not meet for the first time until about a year after the Letters Patent were dated imposing such duty, and notwithstanding such Letters Patent were dated five months before the Governor arrived in Grenada; yet they being dated *after* (though but three months) the Commission to the Governor granting a Legislature, *when the circumstances of the Island should admit it's being convened*, was issued; Lord Mansfield held the King to be bound by the Commission granting such Assembly, and declared the Letters Patent imposing the said duty, to be void; His Lordship stating, that by the Commission to Governor Melville, the King had *immediately and irrevocably* granted that the subordinate Legislature of the Island should be exercised by an Assembly, with the consent of a Governor and Council.

8. *Resolved*. That even could Nova Scotia show that the Island of Cape Breton actually and legally became an integral part or County of the Province of Nova Scotia, by virtue of the King's Proclamation of 7th of October 1763; still this meeting conceives that his Majesty had, even in such case, the same power, and in such event did legally exercise it, of erecting Cape Breton into a separate Province from that of Nova Scotia in the year 1784, that his Majesty had, and exerted in the last named year, of separating from the Province of Nova Scotia the territory which is now the Province of New Brunswick, and erecting it into a separate Province, distinct from that of Nova Scotia; although

the territory now comprehended in the Province of New Brunswick, was, beyond all controversy, originally and at the time of its being so separated and erected into a distinct Province, really an integral part or County of the Province of Nova Scotia: for if his Majesty had not this power, then New Brunswick, as well as Prince Edward Island, must be illegally constituted Governments, and at this day be of right integral parts or Counties of the said Province of Nova Scotia; unless the Acts of the Imperial Parliament, recognising such Provinces as separate from Nova Scotia, make valid the Act of his Majesty in thus separating the said Provinces from that of Nova Scotia.

9. *Resolved*. That even could it be proved that Cape Breton, by virtue of the King's Proclamation of 7th of October 1763, became legally an integral part of the Province of Nova Scotia, and the doctrine be supported that his Majesty could not afterwards by virtue of his Prerogative alone, separate the said Island from the said Province; yet this meeting humbly conceives that, even in such case, his Majesty having so separated such Island from said Province in the year 1784, and granted it a Constitution; and such separation and Constitution having been expressly recognised and confirmed by numerous Acts of the Imperial Parliament, particularly by the 29th of Geo. 3 ch. 6 s. 12 and 13; 33d Geo. 3 ch 50 s. 14 and 43d Geo. 3 ch 125; and by the yearly vote of a separate Civil List for Cape Breton, for nearly forty years; such Acts of recognition and confirmation by the Imperial Parliament, would have rectified and made good any defect in the manner of the separation of said Island from the Province of Nova Scotia, and confirmed such separation and the constitution granted to this Island, as binding, and irrevocable, except by an Act of the Imperial Parliament repealing such separation, and the Grant of such Constitution; which latter measure, for reasons before given, this Meeting is convinced the Parliament of Great Britain would never have recourse to, except in case of great necessity, or in compliance with the wishes of its inhabitants; particularly as this Island had been in undisturbed possession of the Grant of its Constitution, for nearly forty years, before even the unconstitutional attempt of one of his late Majesty's Secretaries of State for the Colonies was made, in the year 1820, to deprive the said Island thereof.

10. *Resolved*. That this Meeting pretends not to doubt the power of the Crown, of its sole authority, to unite several Provinces into one general Government, and at pleasure to revoke the same; or to erect any of those Provinces into separate Governments, provided such union or separation, does not interfere with the Legislatures respectively granted to such Provinces. *That*

power this Meeting well knows has been often exercised, particularly in the case of the Grenada Government. The King having in 1763, established that Government, "as comprehending the Island of that name, together with the Grenadines and the Islands of *Dominica*, *St. Vincent* and *Tobago*;" and afterwards erected *Dominica* into a separate Government; as well as subsequently, during the Earl of Aberdeen's administration in 1835, appointed Sir Lionel Smith, Governor General of all the British West Indies to the southward of the 14th degree of north latitude, and erected the Islands of Barbadoes, *St. Vincent*, *Grenada* and *Tobago* into one general Government, Barbadoes to be the habitual residence of the Governor General of those Islands, the other three of which he was to visit yearly, and if possible when the Legislative body of each should be in Session; and included *Guiana*, *Trinidad* and *St. Lucia*, under the Government of the same Governor General; but to which latter Islands his Excellency was not to repair or assume the actual Government of them, except in one or other of two contingencies: thus the Governor General of those Islands, exercises different powers over different parts of the same Government, and within the said Government the several parts of it are under different Constitutions, some of those Islands having Legislative Assemblies; while other parts of the same Government have not Legislative Assemblies, but are, it is believed, under Dutch and Spanish Laws, or the orders of the King in Council, as in the case of *Guiana* and *Trinidad*.

A similar power was also exercised in the case of *Prince Edward Island*;—which Island was united by the King to the Government of *Nova Scotia*, in the year 1763; separated from the said Government of *Nova Scotia* in the year 1769, and put under a Governor in Chief of its own; and finally "re-annexed" to the said Government of *Nova Scotia* in the year 1784; to which Government it still remains "re-annexed" yet neither in the latter case, nor in the former ones, were the respective Legislatures of those Islands, or of any one of them, interfered with by such arrangements. But the annexing a Province, as in the case of *Cape Breton* in the year 1820, which had previously a Legislature granted to it, to another Province, as an integral part of the latter, deprives the Province so annexed, of its Constitution and Laws, and forces the Laws of another Province upon it, no part of which laws its inhabitants had any voice in enacting or approving; but which on the contrary may be inapplicable or ruinous to them, and in direct opposition to their wishes, as well as subjects them to the public debt and all the other embarrassments under which this Province labours, to which they are annexed.

11. *Resolved*. That this Meeting views the Annexation of this Island to the Province of *Nova Scotia*, as an integral part or County thereof, in the year 1820, upon

the recommendation of two of the branches of the Legislature of that Province (and at the suggestion of the Colonial Minister then in Office) as not only an illegal and unconstitutional, but also a cruel and unjust exercise of power, unmerited on the part of the Inhabitants of said Island, it not only having taken place without the consent but *contrary* to the express and publicly declared wishes and solicitations of its Inhabitants; for not to particularize other instances where prayer was made for the Legislature under the Constitution granted to this Island to be convened, it may suffice to state, that an address was presented to his Majesty's Representative administering the Government of this Island, under the Constitution claimed, about the year 1816, which address, after stating the admiration of the Inhabitants of this Island, of, and their attachment to the British Constitution, which conferred on those who fully enjoyed it, "the envied blessing and superiority over most other nations, of being *subject to no laws to which their consent had not first been obtained*;"—proceeded to shew that the circumstances of the Island, (to quote the language of the Address) "impetuously manifested the immediate necessity of carrying his (Majesty's) Royal Commission at this period into effect, by convening the only legal and permanent Legislature recognised therein;" and further added—"we beg leave to express that we are instructed to consider all other bodies assuming that power (except the Parliament of Great Britain) as violating the laws of the land, and the rights and liberties of the subject;" and it finally concluded with an appeal to his Majesty's Representative for the immediate formation of that Legislature as required by His Majesty's command. And here this meeting, though wishing to allude to the Acts of the King's Ministers with all due respect, cannot forbear to notice the inadvertency or ignorance manifested, as respects *Cape Breton*, by Lord Bathurst, the Colonial Minister at the time when the annexation complained of, of the Island of *Cape Breton* to the Province of *Nova Scotia*. In 1820, took place,—who is stated to have dispatched an order in 1814 to Halifax, to cause "all American prisoners to be removed to *Louisbourg* (in this Island) as a place of safety;" to a place, which, however famous its name in history, has been for nearly three fourths of a century, and is now, an humble fishing settlement; not containing more than about thirty families;—without any sort of fortification, or even a single gun mounted, and not possessing any place of security whatever, a few fishermen's dwellings, with hardly any exceptions, constituting all its buildings of every description—all which shows how utterly unfit and totally unqualified such a Minister was to decide on the affairs of *Cape Breton*, as he did when he deprived this Island of its Constitution.

12. *Resolved*. That though this Meeting rests its claim to a Legislative Assembly, on the Constitutional right this Island has to a Legislature distinct from that of *Nova Scotia*, and therefore it is not indispensably necessary to point out the injurious effects of the late Annexation to support such claim; yet it cannot forbear to allude to a few amongst the many injurious effects which have resulted to this Island from the said annexation.

Fearfully had such Amortisation taken place, when the Legislature of Nova Scotia deliberately passed an Act, granting a bounty of one shilling and sixpence per quintal on all Merchantable dry Fish exported in vessels solely Owned and Registered in the Province; and as the vessels employed by the merchants of Jersey and Guernsey in the trade of this Island, (which merchants had Agents resident here, paying duties and all local and other taxes on their property) were unavoidably registered in Jersey and Guernsey, where they were owned, and therefore registered out of the Province, a blow was struck at them, and through them at the inhabitants of this Island, as the bounty alluded to operated as a direct tax on the fish exported in those vessels, from which fish exported in vessels registered in the Province was exempt.

An attempt was also made a few years since in the Assembly, to impose a duty on all Coal exported from Cape Breton, and thus tax the labour of the inhabitants of this Island, notwithstanding the Mines are held by Lease from the Crown, and such Lease was entered into without contemplating the possibility of such tax being levied; and though hitherto the advocates of such Tax have not succeeded in effecting its imposition, yet there is every reason to believe the attempt will be renewed, and if made successfully, entail many evils on us:—nor is the absurdity of such a Tax any ground for our feeling confident that it will not be imposed, when it is called to mind that Nova Scotia some years since laid a duty on the export of Gypsum or Plaster of Paris from the Province, which effectually ruined the trade in that article, which had been carried on to a great extent to the United States; and this notwithstanding the said United States could not obtain the supply required elsewhere: whereas the coal now exported from Cape Breton to the said United States, has to compete in that market with the same article from Great Britain, and the produce of their own mines, which it even now can hardly do,—yet with the effect the duty on the export of Gypsum produced, before their eyes, the Legislature has contemplated a duty on the export of Coal, which has been agitated in the Assembly, and which measure we fear may yet be carried there.

It was also attempted in Nova Scotia, a few years since, to remove the sittings of the Supreme Court from Sydney and Arichat—the principal towns of the Island, and where they had always been held—to a comparatively remote, and extremely inconvenient part of said Island, merely because of the vicinity of that place to Nova Scotia, and to consult the personal convenience of its circuit Judges, instead of that of the Inhabitants of this Island; and so secretly was this scheme planned, that it was only accidentally discovered, whereupon such an extreme excitement was caused by it in the Island, and so violent a struggle to prevent it taking effect was made, that such removal was, though with great difficulty, barely prevented.

It is also a fact that notwithstanding the great extent and population of Cape Breton, in comparison with the other Counties of the Province, the number of its Representatives in the Assembly has always been very far indeed under the proportion it is fully entitled to, as from the year 1820 up to that of 1831, but two Mem-

bers were admitted to Represent the whole Island, and not one Member for the several Townships thereof:—that in 1832, an additional Member was granted for the County, and one each for the Townships of Sydney and Arichat, making in the whole but five Members for the whole County and Townships of the Island—the populous Northwestern District of said Island being debarred from sending even a single Member; and though the Island has been divided into three Counties, the number of Representatives has not been increased, and but one County Member allowed for the late Northwestern district, now the County of Just-au-Corps, and that County still debarred from sending any Township Member, notwithstanding an addition of five members has lately taken place for the Counties of Nova Scotia proper.—The injustice done to Cape Breton in the small number of Representatives she is allowed to send to the Assembly of Nova Scotia, will be more manifest from the following considerations, namely, that while the Assembly of the Province now consists of forty-nine members, the whole Island of Cape Breton sends but five members out of this number, being only about *one tenth* of the whole number; while its area, and population, are at least *one fifth* of the whole Province, which would entitle it to at least *Ten* instead of *Five* Members, as has been admitted in the Assembly itself: that while scarcely a County in Nova Scotia proper, has less than two County, in addition to Township Members; and while though the population of some of the said Counties does not exceed 5,000 souls each, such Counties have two County, besides Township Members; still each of the new Counties, into which Cape Breton is divided, has, respectively, above double the same population, and is yet permitted to send only one County Member for each of the said Counties, and one Township Member for each of the two Townships of Sydney and Arichat; and the County of Just-au-Corps, as before stated, is yet debarred from sending any Township member whatever.

It may be here observed that the population of Cape Breton is now estimated at upwards of 40,000 souls, which must be at least 4 times the population of Nova Scotia when its Legislature was first convened in 1758, and one fourth more than the population of Nova Scotia as late as 1790—about 32 years after the first convening of its Legislature—its population in the last named year being estimated at only 30,000 souls: that notwithstanding the large Revenue annually derived from this Island, but a very small part of it is returned to it in appropriations, though some of the small Counties in Nova Scotia proper, have appropriated amongst them, infinitely more than they contribute to the Revenue; while the Revenue derived to the Province of Nova Scotia from Cape Breton goes towards liquidating the public debt of Nova Scotia, no part of which debt was contracted by or for the benefit of this Island.

It is also a fact worthy of notice, that upon the question being put to his Majesty's Government some years ago, whether the Gut of Canso, which separates Nova Scotia from Cape Breton, could be so far considered within the jurisdiction of Great Britain, as to authorise his Majesty's Government in excluding from its Navigation the vessels of Foreign Powers, it was decided, that the preventing American vessels from navigating the

But would not, it was conceived, be conformable to the principles on which they had been admitted to have intercourse with those parts, and as more particularly recognised by the late Treaty: whereby it would appear that a High Sea divides what is now considered the Province of Nova Scotia, and separates Nova Scotia proper from Cape Breton; and in this view Cape Breton is entitled to Debentures on certain articles exported thither from the United States, as to parts beyond Seas, from which Nova Scotia proper, (being situated on the American Continent) is excluded. How long this advantage which nature has conferred on us, and which a Foreign nation is willing to concede to us, may be retained, will perhaps depend upon the Legislation of Nova Scotia on this subject, which Legislation may cause us to be debarred from it, in common with Nova Scotia proper. An apprehended evil of no small magnitude.

13. *Resolved*, That though this Meeting is not prepared to state that the evil of which it is now about to complain is intimately connected with the annexation in question, yet it cannot neglect to point out the manifest injury and injustice done to the Trade of Arichat in this Island, by that place being debarred from being numbered amongst the Free Warehousing Ports in the Colonies.—The importance and peculiar nature of the Trade of that place is as well known, as that it is the principal part of the Island where ship building is carried on; and its accessibility at all seasons of the year to shipping is undeniable. So long ago as the year 1828, it appears by Official returns, that the exports from that place in that year amounted to 39,227 quintals of dry fish, 12,559½ barrels of pickled fish, and 1,323 barrels of Oil, not to mention other articles; and 220 vessels were owned there. In the spring of 1833 there was launched and on the stocks there upwards of 2,000 tons of shipping, besides small coasters. During the summer an active herring fishery was carried on by its vessels at the Magdalen Islands, and Bay of St. George in Newfoundland; in addition to which the mackerel fishery in the Autumn was closely pursued, and a large export of pickled fish took place to Quebec.

The eligibility of Arichat to be a Free Port, must, from the above and the following considerations be admitted. It is situate at the Southern or Eastern entrance of the Gut of Canso; commands the passage into that High way of Nations, which divides Cape Breton from Nova Scotia proper; and was early selected by the Merchants of Jersey and Guernsey, as a residence for themselves or Agents, and then and since by many other British subjects; and from whence an extensive trade has been long carried on to the Mediterranean, South America, the British West Indies, Great Britain, the Canadas, Newfoundland, Spain, the United States, and other parts; which trade would be much facilitated, increased and extended, could the privileges of a Free Warehousing Port be granted to that place, similar to those at present enjoyed by Sydney; which privileges this meeting earnestly hopes Arichat may now succeed in obtaining.

14. *Resolved*, That should His Majesty be graciously pleased to separate this Island from the Province of

Nova Scotia, and render to it the Constitution granted to it in the Year 1784, consisting of a Lieutenant Governor, Council and Assembly, distinct from and independent of the Legislature of Nova Scotia; this meeting pledges itself cheerfully to acquiesce in the decision of His Majesty's Government, in placing the seat of Government in whatever part of the Island the general and preponderating interests of the said Island may require, —whether it be at SYDNEY, at ARICHAT, PORT HOBBS, or elsewhere in said Island.—So fully convinced is this Meeting of the manifold advantages which would result to every part of the Island, should the Constitution now contended for be restored, that it would view with comparative indifference such seat of Government placed remote from the vicinity of Sydney; and even did they not so view it, this meeting would be prepared to make great sacrifices to obtain the restoration of their Constitution, and to realize benefits which would thereby accrue, rather than think of contending that Sydney should be the seat of Government, in opposition to any necessity that might exist for its being placed elsewhere.— This meeting and the persons whom it represents, seek the return of their Constitution, in order that they may be restored to the full enjoyment of that noblest of all inheritances, the British Constitution. They contend for it, as Britons, and as Men, who would be free, and in possession of their birth right; and look for it in vindication and fulfilment of the solemn pledge of His Majesty King George the third to this Island; and not to promote private interests, sectional views, or party purposes.

15. *Resolved*, that by the Joint Address of the Council and Assembly of Nova Scotia to the Prince Regent in 1817, wherein they prayed His Majesty to annex the Island of Cape Breton to the Province of Nova Scotia; and the acquiescence in 1820 of the Legislature of said Province, in that annexation by His Majesty, without the sanction of the Imperial Parliament; the said Legislature has, in the opinion of this meeting, established a dangerous precedent, and one subversive of the rights and franchises of the inhabitants of said Province, as well as those of other Colonies, which have a Grant of a Legislative Assembly, in as far as this precedent of Nova Scotia can be an authority for a similar exercise of power over any other such Colony; for by the same precedent, namely that of annexing this Island to the Province of Nova Scotia in 1820, this meeting conceives His Majesty could by His sole act, and without the concurrence of Parliament, at any time annex the Province of Nova Scotia to that of New Brunswick, of Canada, or any other Colony; and direct persons to be elected in Nova Scotia to represent its inhabitants in General Assembly, at Fredericton, Quebec, or elsewhere, as the case might be; and thus revoke and annul the Constitution which Nova Scotia has enjoyed for nearly a century.

16. *Resolved*, That this Meeting earnestly hopes that the Honourable the Assembly of Nova Scotia, now about to meet for the despatch of business, will calmly and solemnly weigh and decide on the above named Acts of their predecessors; and disregarding all selfish and other minor considerations, when not only a great Constitutional question is at issue, but also their own liberties and Constitution are at stake, make such order in the

promises as to their wile as may seem meet; lest if the precedent alluded to should go down to posterity, as acquiesced in by successive Assemblies in Nova Scotia, some arbitrary or inconsiderate Minister may in after-times act upon it, and deprive Nova Scotia, as Lord Bathurst did Cape Breton in 1820, of its Constitution and Laws, and cite the precedent above named, as his justification and authority.

17. *Resolved*, That Copies of these Resolutions be transmitted to the Counties of Richmond and Juste-au-Corps, in this Island, for the consideration of the Inhabitants thereof, with the earnest request of the Committee, now to be appointed, on behalf of this Meeting, that they would co-operate with said Meeting in endeavoring to restore to this Island the Constitution now sought for.

18. *Resolved*, That the Reverend the Clergy of the several religious denominations in this Island, be hereby respectfully solicited to take into their consideration the many important advantages which would result to their respective Flocks, should the object of this Meeting be obtained, and be pleased to use their influence with the persons under their charge, to induce them to join with this Meeting, in the legal and Constitutional measures necessary to effect the restoration of the Constitution to which this Island is entitled, as before referred to.

19. *Resolved*, That the following gentlemen, namely William Ouseley, Edmund M. Dodd, Thomas S. Bown, Wm R Bown and Chas R Ward Esquires; together with the Rev. Henry Mc Keagney, Peter H Clarke, Samuel G. Archibald, John L. Hill, Nicholas H. Martin, Thos. Jost and Edward C. R. Bown Esquires (all of whom are now present) be a Committee, any five whereof to be a quorum, to transmit the foregoing Resolutions as above pointed out, and to open a correspondence with the Counties of Richmond and Juste-au-Corps, and other parts of this Island, in furtherance of the objects of said Resolutions; which Committee, or said quorum, is hereby fully empowered, on behalf of this meeting, to adopt all and every legal and Constitutional measures and means in their power to effect the dissolution of the union of this Island with the Province of Nova Scotia, and the restoration of the Constitution granted to it in the year 1784.

20. *Resolved*, That a sufficient number of the foregoing Resolutions be printed, for distribution by the above named Committee, and that a subscription be at once entered into to defray the expence thereof; which subscription was made before the Meeting was adjourned.

CHARLES R. WARD.
Chairman.